

**TOWN OF FREDERICK, COLORADO
ORDINANCE NO. _____**

**AN ORDINANCE OF THE TOWN OF FREDERICK COLORADO, AMENDING
THE TOWN OF FREDERICK MUNICIPAL CODE, 1992, REGARDING
FISHING, BELLY BOAT, AND WATERCRAFT USE ON MILAVEC LAKE.**

WHEREAS, the Board of Trustees of the Town of Frederick finds it necessary to amend the Town of Frederick Municipal Code, 1992, make the Code consistent with Town practices, repeal inapplicable and remnant provisions, and to clarify and improve public understanding of Town procedures.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. Section 10-250, Lake fishing pass required; costs; violations, of Chapter 10, Article XII (Miscellaneous Offense) of the Frederick Municipal Code, 1992, is hereby repealed in its entirety and reenacted as follows:

“Sec. 10-250. Fishing license required; belly boat pass required; violations.

“(a) Any person who fishes at Milavec Lake in the Town must first obtain a state fishing license.

“(b) Any person who seeks to fish at Milavec Lake using a belly boat or like floating device must first secure from the Town a daily float pass, which shall cost three dollars (\$3.00).

“(c) Any person who fails to obtain, or make readily available for inspection by a peace officer, a state fishing license and a valid Town float pass, as applicable, is guilty of a noncriminal offense and, upon conviction thereof, shall be punished by a fine of twenty-five dollars (\$25.00). (Ord. 442, § 1, 1996; Ord. 782, § 1, 2005; Ord. 1002, §30, 2009; Ord. 1003, § 3, 2009)”

Section 2. Section 10-254, Lake watercraft permit required; costs; regulations; violations, of Chapter 10, Article XII (Miscellaneous Offense) of the Frederick Municipal Code, 1992, is hereby amended through the adoption of a new subsection (e) to read as follows:

“Sec. 10-254, Lake watercraft permit required; costs; regulations; violations.

...

“(e) A belly boat or like floating device, designed to be fished from, shall not be considered a watercraft under this Section. Persons seeking to use such devices to fish at Milavec Lake shall first secure a daily float pass from the Town, pursuant to Sec. 10-250.”

Section 3. Effective date. This ordinance shall be published and become effective as provided by law.

Section 4. Severability. If any part, section, subsection, sentence, clause, or phrase of this ordinance is for any reason held invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 5. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof in conflict with this ordinance are, to the extent of such conflict, hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution, or motion thereby.

**INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED
THIS 26th DAY OF OCTOBER, 2010.**

ATTEST:

TOWN OF FREDERICK

By _____
Nanette S. Fornof, Town Clerk

Eric E. Doering, Mayor